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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 09/458,642 | 12/09/1999 | RICHARD S. SCHWERTFEGER | AUS990817US1 | 9110 |

35617 7590 03/11/2004

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| EXAMINER |
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SALAD, ABDULLAHI ELM I

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| ART UNIT | PAPER NUMBER |
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2157

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/458,642

Applicant(s)

SCHWERDTFEGGER ET AL.

Examiner

Salad E Abdullahi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-13, 17-22 and 28-30 is/are allowed.
- 6) ☒ Claim(s) 1, 3-6, 14, 16 and 23-27 is/are rejected.
- 7) ☒ Claim(s) 2, 7, 8 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response

1. The response filed on 12/12/2003 has been entered and made of record.
2. Original claims 1-30 are still pending.
3. Applicant's arguments with respect to claims 1, 3-6, 14, 16 and 23-27 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

4. Claims 2, 7-8, 15, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. Claims 9-13 and 17-22, 28-30 are allowed.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

7. Claims 1, 3-6, 14, 16 and 23-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Jamtgaard et al., U.S. Patent No. 6, 430,624 (hereinafter Jamtgaard).

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As per claims 1 and 23, Jamtgaard discloses a system for delivering an electronic document (web page documents), comprising:

- a transcoder proxy (translation server)) coupled to receive the electronic document in a first digital format (HTML or XML, wherein the electronic document includes an element, and wherein a JAVASCRIPT event is associated with the element, and wherein the element includes JAVASCRIPT code executed in response to the JAVASCRIPT event (see figs. 2 and 3 and col. 4, lines 34-57, and col. 5, lines 27-53) and wherein the transcoder proxy (proxy engine or translation server) is configured to:
 - assign a unique identifier to the element including unique identifier (see col. 7, lines 48-65;
 - form a model of a logical structure (document object model of the electronic document (see fig. 6, and col. 9, lines 47-63);
 - use the model to produce an original script that includes: (1) at least a portion of the electronic document expressed in a second digital format, and (ii) the element and the identifier assigned to the element (see col. 7, lines 47-66 and fig. 6, and col. 9, lines 47-63);
 - a client machine (15) coupled to receive the original script (see col. 8, lines 4-25).

In considering claims 3-4, and 24-25, Jamtgaard discloses accessing and manipulating the document using document object model (DOM) (see col. 9, lines 49-63).

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In considering claims 5-6 and 26-27, Jamtgaard discloses a system as recited in claim 3, wherein the first digital format is a text-based markup language such as HTML or XML (see col. 9, lines 49-63).

In considering claims 14 Jamtgaard disclose a client system (15), comprising:

- an output device (see fig. 3, element 15 which includes a display) (see col. 5, lines 27-53); and
- a user agent (22) coupled to the output device and adapted for coupling to a proxy , wherein the user agent is configured to:
- receive an original script from the t proxy, wherein the original script includes an element and an identifier assigned to the element form a transcoded/translated document in response to the original script, wherein the transcoded document is a representation of the portion of the electronic document (see figs.2 and 3, and col. 7, lines 47-66 and fig. 6, and col. 9, lines 47-63).

In considering claim 16, Jamtgaard discloses a system as recited in claim 14, wherein the output device is display device (see fig. 3, element 15 which includes a display) (see col. 5, lines 27-53).

CONCLUSION

8. The prior art made of record and not relied upon is considered pertinent to the applicants disclosure.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 703-308-8441. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) (872-9306)



Abdullahi Salad
Examiner Art unit 2157

03/08/2004